

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOUREY NEWELL, *individually and on
behalf of all persons and entities similarly
situated,*

Plaintiff,

v.

CASE NO. 2:25-cv-01018-GJP

LENDVIA LLC

Electronically filed

Defendant.

DEFENDANT LENDVIA LLC'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT

Defendant LendVia LLC ("LendVia"), by and through its undersigned counsel, hereby moves this Honorable Court for an order dismissing Count III of the Complaint ("Compl.") filed by Plaintiff Jourey Newell ("Plaintiff") with prejudice and without leave to amend, pursuant to Federal Rules of Civil Procedure 12(b)(6), 47 C.F.R. 64.1200(d), and other applicable law (the "Motion" or "Mot."). Pursuant to Local Rule 7.1 (a)-(c), LendVia submits the attached Memorandum of Law and proposed form of Order.

WHEREFORE, LendVia respectfully requests that this Court grant the Motion, enter the proposed form of Order, and dismiss Count III of the Complaint with prejudice.

Dated: April 23, 2025

Respectfully submitted,

/s/Corey M. Scher

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CERTIFICATE OF SERVICE

I hereby certify that on April 23, 2025, a copy of the foregoing was filed electronically and served by other electronic means on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by e-mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF system.

Dated: April 23, 2025

Respectfully submitted,

/s/Corey M. Scher

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